

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Stephen Little et al.  
Serial No. : 09/889,415  
Filed : July 17, 2001  
Title : OLIGONUCLEOTIDE ARRAY AND METHODS OF USE

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

In response to the communication dated May 1, 2002 (copy enclosed), applicants submit herewith a Sequence Listing in computer-readable form as required by 37 CFR §1.824. In addition, applicants submit a substitute Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(f).

Applicants respectfully request entry of the paper copy and computer-readable copy of the Sequence Listing filed herewith for the instant application. Furthermore, applicants request entry of the following amendments.

In the specification:

Replace the original Sequence Listing with the substitute Sequence Listing filed herewith.

In the claims:

Amend claims 3-5, 9, 12, and 13 as follows:

--3. (Amended) A support as claimed in claim 1, wherein the oligonucleotides are detectably labelled.

4. (Amended) A support as claimed in claim 1, which comprises at least 50, particularly at least 500 and more particularly at least 5000, distinct oligonucleotides on the support.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL950701297US

Date of Deposit July 26, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Inventor(s): LITTLE, Stephen et al

Filed: Herewith

Title: OLIGONUCLEOTIDE ARRAY AND METHODS OF USE

July 17, 2001

PRELIMINARY AMENDMENT

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

Please amend this application as follows:

IN THE SPECIFICATION:

At the top of the first page, just under the title, insert

☒ --This application is the National Phase of International Application  
PCT/GB00/00357 filed February 8, 2000 which designated the U.S.

and that International Application

☒ was ☐ was not published under PCT Article 21(2) in English.--

Respectfully submitted,

PILLSBURY WINTHROP LLP  
Intellectual Property Group

By: 

Attorney: Donald J. Bird

Reg. No: 25323

Tel. No.: (202) 905-2018

Fax No.: (202) 905-2500

Atty\Sec. DJB/mhn  
1600 Tysons Boulevard

McLean, VA 22102  
(703) 905-2000

Applicant : Stephen Little et al.  
Serial No. : 09/889,415  
Filed : July 17, 2001  
Page : 2

Attorney's Docket No.: 06275-  
289001 / SAD/LDG/Z70478/UST

5. (Amended) A support as claimed in claim 1, wherein each oligonucleotide is non-complementary with genomic DNA and non complementary with each other.

9. (Amended) A method as claimed in claim 7, wherein each primer is used in conjunction with a second companion primer to amplify the target region of interest.

12. (Amended) A method as claimed in claim 10, wherein there are between 5 and 80 distinct targeting oligonucleotides per target gene.

13. (Amended) A method as claimed in claim 10, wherein step (iii) is carried out as separate reactions between the target cDNAs and separate pools of targeting polynucleotides, the cDNA target binding sequences of the polynucleotides in each pool possessing approximately the same  $T_m$  as the others in the pool; the hybridisation reactions from each pool of targeting polynucleotides are then pooled together.--

Applicant : Stephen Little et al.  
Serial No. : 09/889,415  
Filed : July 17, 2001  
Page : 3

Attorney's Docket No.: 06275-  
289001 / SAD/LDG/Z70478/UST

REMARKS

Applicants respectfully request entry of the amendments to the claims as shown herein. More specifically, applicants have amended claims 3-5, 9, 12, and 13 to eliminate multiple dependency while conserving the claimed subject matter. Claims 1-16 are now pending.

Applicants hereby submit that the enclosures fulfill the requirements under 37 C.F.R. §1.821-1.825. The amendments in the specification merely replace the paper copy of the Sequence Listing with an amended Sequence Listing wherein the general information has been updated to include the inventors, attorney docket number, serial number, filing date, and priority information for the instant application. No new matter has been added.

Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 06275-289001.

Respectfully submitted,

Date:

July 26, 2002

Janis K. Fraser, Ph.D., J.D.  
Reg. No. 34,819

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

Applicant : Stephen Little et al.  
Serial No. : 09/889,415  
Filed : July 17, 2001  
Page : 4

Attorney's Docket No.: 06275-  
289001 / SAD/LDG/Z70478/UST

**Version with markings to show changes made**

**In the claims:**

Claims 3-5, 9, 12, and 13 have been amended as follows:

3. (Amended) A support as claimed in claim 1, [or 2] wherein the oligonucleotides are detectably labelled.

4. (Amended) A support as claimed in [any of the preceding claims] claim 1, which comprises at least 50, particularly at least 500 and more particularly at least 5000, distinct oligonucleotides on the support.

5. (Amended) A support as claimed in [any of claims 1 to 4] claim 1, wherein each oligonucleotide is non-complementary with genomic DNA and non complementary with each other.

9. (Amended) A method as claimed in claim 7, [or claim 8] wherein each primer is used in conjunction with a second companion primer to amplify the target region of interest.

12. (Amended) A method as claimed in claim 10, [or claim 11] wherein there are between 5 and 80 distinct targeting oligonucleotides per target gene.

13. (Amended) A method as claimed in claim 10, [11 or 12] wherein step (iii) is carried out as separate reactions between the target cDNAs and separate pools of targeting polynucleotides, the cDNA target binding sequences of the polynucleotides in each pool possessing approximately the same  $T_m$  as the others in the pool; the hybridisation reactions from each pool of targeting polynucleotides are then pooled together.



09889415 072602 PCT

Attorney's Docket No.: 06275-289001 / SAD/LDG/Z70478/UST

DT07 Rec'd PCT/PTO 07 JAN 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen Little et al.  
Serial No. : 09/889,415  
Filed : July 17, 2001  
Title : OLIGONUCLEOTIDE ARRAY AND METHODS OF USE

Art Unit : Unknown  
Examiner : Unknown

Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
13 MAR 2003  
Legal Coun  
International Division

STATUS INQUIRY

Applicant respectfully inquires as to the status of the above application. The application was filed on July 17, 2001, and its last known status was May 1, 2002, the mailing date of a Notification of Missing Requirements received from the U.S. Patent Office. Note that a change of correspondence address designating the undersigned as addressee was filed on September 4, 2002.

No fees are believed to be due. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

01/02/03

Janis K. Fraser, Ph.D., J.D.  
Reg. No. 34,819

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20561567.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

January 2, 2003  
Renora H. Francis  
RENORA H. FRANCIS